

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ANTONIO T. FOULKES,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. 14-cv-01237-JPG

Criminal No. 08-cr-30110

MEMORANDUM AND ORDER

This matter comes before the Court on petitioner Antonio T. Foulks' motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255 (Doc. 1). The United States of America filed a Response (Doc. 4) and requested a hearing on the issue of whether Petitioner timely requested that his attorney pursue an appeal.

The Court believes an evidentiary hearing would expedite the resolution of Foulks' pending § 2255 motion and accordingly, finds that the interests of justice require that Foulks be represented by counsel at the hearing. The Court further finds that he is unable to afford counsel and accordingly, the Court hereby **ORDERS** that, pursuant to Rule 8(c) of the Rules Governing Section 2255 Proceedings and 18 U.S.C. § 3006A, attorney **Patricia J. Koprucki** is **APPOINTED** to represent Foulks for the purposes of this hearing only.

Should it become apparent after the hearing that further briefing on Foulks' § 2255 motion is necessary, the Court will enter an appropriate order at that time. The Court further **DIRECTS** the **Clerk of Court** to add **Patricia J. Koprucki** as an attorney of record for Petitioner Foulks in this matter and the underlying criminal case and to further allow Ms. Koprucki access to sealed documents in that case.

IT IS SO ORDERED.

DATED: 3/23/2015

s/J. Phil Gilbert

J. PHIL GILBERT
DISTRICT JUDGE